

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 7th day of November 2005
Bail Application No. 1053 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Bhanu @ Vishal
S/o Shri Prem Chand
R/o Pahari Gali
Police Station Vikasnagar
District Dehradun

...Applicant

Versus

State of Uttaranchal

... Opposite Party

Arising out of Case Crime No. 127 of 2005
Under Sections 363, 366 and 376 I.P.C. &
3(i)(xii) of Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act
Police Station Vikasnagar
District Dehradun

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No127 of 2005 Under Sections 363, 366 and 376 I.P.C. & 3(i)(xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Police Station Vikasnagar, District Dehradun.

Heard Sri R.P. Nautiyal, learned counsel for the applicant, learned A.G.A. and perused the record.

The record reveals that the prosecutrix Km. Rajni remained in the company of the applicant for several days. The medical examination report shows that the prosecutrix was found habitual of sexual intercourse and her age was 21 years at the time of the occurrence.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Bhanu @ Vishal be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

07.11.2005
ASWAL